

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

WENDY PAINTING,

Plaintiff,

-against-

THE CITY OF ROCHESTER, a municipal entity,
“JOHN DOE POLICE OFFICERS “1-200”, (names and
number of whom are unknown at present), COUNTY OF
MONROE, TODD BAXTER, “RICHARD ROE SHERIFF’S
DEPUTIES 1-200” (names and number of whom are unknown
at present), and other unidentified members of the Rochester
Police Department and Monroe County Sheriff’s Office,

Defendants.

**DECLARATION IN
SUPPORT OF MOTION**

Case No. 22-cv-6179

Pursuant to 28 U.S.C. §1746, Maria E. Rodi, declares as follows:

1. I am a Senior Deputy County Attorney acting of counsel to County Attorney John P. Bringewatt, attorney of record for the defendants, County of Monroe, Todd Baxter, and “Richard Roe” Monroe County Sheriff’s Deputies 1-200, (the “County Defendants”), and I am fully familiar with the facts and circumstances of this action.

2. I submit this declaration in support of the County Defendants’ motion pursuant Fed. R. Civ. P. Rule 12(b)(6) seeking dismissal of the Amended Complaint as against the County Defendants, with prejudice.

3. Annexed hereto as **Exhibit A** is the Amended Complaint filed by the plaintiffs in this action.

4. For the reasons set forth in the accompanying memorandum of law, the Amended Complaint should be dismissed with prejudice as against the County Defendants.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 27, 2022

s/ Maria E. Rodi

Maria E. Rodi